

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE: Michael D. Vinsick)
) Case No. 19-24330-JAD
)
) Chapter 13
Debtor(s).)
_____) Related to Doc. #107 and 114

ORDER OF COURT
(Check Boxes That Apply)

☒ **Confirming Plan on Final Basis**

☐ **Chapter 13 Plan dated:**

☐ **Authorizing Distributions Under Plan** ☒ **Amended Chapter 13 dated:**
On Interim Basis Solely as Adequate May 28th, 2021
Protection

IT IS HEREBY ORDERED that pursuant to the plan identified above (the "Plan"), as the same may be modified by this Order, the Chapter 13 Trustee is authorized to make distributions to creditors holding allowed claims from available funds on hand. Such distributions shall commence no earlier than the Chapter 13 Trustee's next available distribution date after the first day of the month following the date on which this Order is entered on the Court's docket.

IT IS FURTHER ORDERED that those terms of the Plan which are not expressly modified by this Order shall remain in full force and effect. To the extent any terms and conditions of the Plan are in conflict with this Order, the terms of this Order shall supersede and replace any conflicting terms and conditions of the Plan.

1. Unique Provisions Applicable Only to This Case: *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic monthly Plan payment is amended to be \$_____, beginning _____. To the extent there is no wage attachment in place or if an existing wage attachment is insufficient to fund the Plan payments, counsel to the Debtor(s) shall within seven (7) days hereof file a wage attachment motion (or motions) to fully fund the Plan payments, or shall sign up for and commence payments under the Trustee's TFS online payment program.
- ☐ B. The length of the Plan is changed to a total of at least ____ months. This

statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved.

- ☐ C. To the extent this Order is entered as a form of adequate protection, the Trustee is authorized to distribute to secured and priority creditors with percentage fees payable to the Chapter 13 Trustee on receipt as provided for in 28 U.S.C. §586. ***Continued conciliation conferences before the Trustee or contested hearings before the Court shall proceed on such dates and times as appear on the case docket.*** The Trustee is deemed to have a continuous objection to the Plan until such time the Plan is confirmed on a final basis.

PARTIES ARE REMINDED OF THEIR DUTY TO MONITOR THE COURT'S DOCKET AND ATTEND DULY SCHEDULED HEARINGS. THE PARTIES ARE FURTHER REMINDED OF THEIR DUTY TO MEET AND CONFER AND OTHERWISE ENGAGE IN GOOD FAITH SETTLEMENT NEGOTIATIONS WITH RESPECT TO ANY OBJECTION TO PLAN CONFIRMATION. FAILURE TO COMPLY WITH THESE DUTIES MAY RESULT IN THE IMPOSITION OF SANCTIONS AGAINST THE OFFENDING PARTY.

- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. The following utility creditor _____ shall be paid monthly payments of \$_____ beginning with the Trustee's next distribution and continuing for the duration of the Plan's term, to be applied by that creditor to its administrative claim, ongoing budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim:
- ☐ H. The secured claims of the following creditors shall govern as to claim amount, to be paid at the modified plan interest rate in a monthly amount to be determined by Trustee to pay the claim in full during the Plan term:

- ☐ I. The secured claim(s) of the following creditors shall govern as to claim amount, to be paid at the indicated interest rate in a monthly amount to be determined by Trustee to pay in full during the Plan term:
-
- ☐ J. The secured claim(s) of the following creditor(s) shall govern, following all allowed post-petition payment change notices filed of record:
- ☒ K. Additional Terms and Conditions:
*Greene County TCB paid per the plan at 9% with interest beginning 5/2021
*Green County Treasure CL #s 17 and 18 gov as secured w/ interest @ 10% beginning January 2020

2. Deadlines. The following deadlines are hereby established and apply to this case:

A. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates a sale or sales of assets or the recovery of litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

B. Review of Claims Docket and Objections to Claims. Pursuant to *W.P.A.LBR 3021-1(c)(2)*, the Debtor(s) (or Debtor(s)' attorney, if represented), shall review the proofs of claim filed in this case and shall file objections (1) to any disputed timely filed claims within ninety (90) days after the claims bar date, or (2) to any disputed late filed or amended claims within ninety (90) days after the amended and/or late claims are filed and served. Absent a timely objection or further order of the Court, the timely filed proof of claim will govern as to the classification and amount of the claim; provided however, no creditor shall receive a distribution in this case until such time as the relevant allowed claim is provided for in the Plan or any subsequent amended plan.

C. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, and all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

D. Filing Amended Plans or Other Stipulation. Within fourteen (14) days after the Bankruptcy Court resolves the priority of a claim, avoidability of a lien or interest, or extent of a lien, or any objection to claim, the Debtor(s) shall file an Amended Plan or Stipulated Order Modifying Plan to provide for the allowed amount of the lien or claim if the allowed amount and/or treatment differs from the amount and/or treatment stated in the Plan. The Debtor(s) or Counsel for Debtor(s) should inquire with the Chapter 13 Trustee regarding whether an Amended Plan or proposed Stipulated Order Modifying Plan is the preferred course of action. In addition, if after the conclusion of the claims bar date and any associated litigation, the Plan is underfunded, Debtor(s) shall also file (1) an amended Plan increasing the monthly Plan payment, and (2) a

revised wage attachment to provide for the increased funding.

3. Additional Provisions. The following additional provisions apply in this case:

A. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

B. The Trustee shall hold in reserve any distributions under the Plan to any creditor who holds a claim that is provided for in the Plan but which is subject to a duly filed claims objection. Upon entry of further order of the Court, or ultimate allowance of the disputed claim provided for in the Plan, the Trustee may release the reserve and make distribution to the affected creditor. Unless otherwise permitted by separate Order of Court, Trustee shall not commence distributions to unsecured creditors until after the later of the government bar date and a filed notice of an intention to pay claims (the later date being the "Earliest Unsecured Distribution Date"). Trustee may, but has no obligation to, further defer distributions to unsecured creditors until a later date after the Earliest Unsecured Distribution Date.

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor(s)' counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.


E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any allowed ***secured claim*** (that is secured by the property subject to the relief from stay order), unless otherwise directed by further Order of Court.

G. The Debtor(s) shall maintain all policies of insurance on all property of the Debtor(s) and this estate as required by law and/or contract.

H. The Debtor(s) shall pay timely all post-confirmation tax liabilities directly to the appropriate taxing authorities as they become due.

Dated: 7/16/2021


United States Bankruptcy Judge
Jeffery A. Deller

cc: All Parties in Interest to be served by Clerk

In re:
Michael D Vinsick
Debtor

Case No. 19-24330-JAD
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Jul 16, 2021

User: aala
Form ID: pdf900

Page 1 of 3
Total Noticed: 49

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.P.2002(g)(4).
##	Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 18, 2021:

Recip ID	Recipient Name and Address
db	+ Michael D Vinsick, 334 Ceylon Road, Carmichaels, PA 15320-1402
aty	+ The Debt Doctors, LLC, 607 College Street, Suite 101, Pittsburgh, PA 15232, UNITED STATES 15232-1700
sp	+ David A Colecchia, 324 S. Maple Ave., Greensburg, PA 15601-3219
cr	+ Dollar Bank, FSB, 300 West Tuscarawas Street, Canton, OH 44702-1911
cr	+ First National Bank of Pennsylvania, c/o Donna M. Donaher, 100 Federal Street, 4th Floor, Pittsburgh, Pa 15212-5708
cr	+ Office of Attorney General, Department of Revenue, Lauren A. Michaels, 1251 Waterfront Place, Mezzanine Level, Pittsburgh, PA 15222-4227
cr	+ Premier Bank fka First Federal Bank of the Midwest, 275 W. Federal Street, Youngtown, OH 44503-1200
15172702	American Express National Bank, c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
15152101	+ Amex, Correspondence/Bankruptcy, Po Box 981540, El Paso, TX 79998-1540
15152105	Dollar Bank, 3 Gateway Center, Pittsburgh, PA 15222
15210147	Dollar Bank, FSB, c/o Elizabeth L. Slaby, Esquire, Grenen & Birsic, PC, One Gateway Center, 9th Floor, Pittsburgh, PA 15222
15172115	Dollar Bank, FSB, c/o David W. Raphael, Esquire, Grenen & Birsic, PC, One Gateway Center, 9th Floor, Pittsburgh, PA 15222
15172114	+ Dollar Bank, FSB, 300 W. Tuscarawas Street, Canton, OH 44702-1911
15152106	+ First National Bank, Attn: Bankruptcy, 4140 East State Street, Hermitage, PA 16148-3401
15180449	+ First National Bank of Pennsylvania, 4140 E. State Street, Hermitage, PA 16148-3401
15184996	+ Greene County Treasurer Office, 93 E. High St., Waynesburg, PA 15370-1890
15152108	+ Home Savings, Attention: Legal Department, 275 West Federal Street, Youngstown, OH 44503-1200
15166561	+ Home Savings Bank, Attention: Legal Department, 275 West Federal Street, Youngstown, OH 44503-1200
15183588	+ Kelly A. Stepp, Esquire, 64 N. Richhill St., Ste 101, Waynesburg, PA 15370-1306
15166564	+ ML Factors Funding LLC, 456A Central Avenue, Cedarhurst, NY 11516-1927
15152110	+ Mr. Cooper, Attn: Bankruptcy, 8950 Cypress Waters Blvd, Coppell, TX 75019-4620
15166565	PA SCDU, PO Box 69111, Harrisburg, PA 17106-9111
15166566	Pennsylvania Department of Revenue, Bureau of Individual Taxes, PO Box 280431, Harrisburg, PA 17128-0431
15365657	+ Premier Bank f/k/a First Federal Bank of the Midwe, 275 W. Federal Street, Youngstown, Ohio 44503-1200
15152112	+ Rebecca Vinsick, 228 Nemaquin Road, Carmichaels, PA 15320-1124
15152113	+ S & T Bank, 800 Philadelphia, Indiana, PA 15701-3908
15166569	SPS, PO Box 65250, Salt Lake City, UT 84165-0250
15152115	+ Stepp Law Offices, Kelly A. Stepp, Esq., 64 N. Rich Hill Street, Suite 101, Waynesburg, PA 15370-1306
15183603	The Bank of New York Mellon et. al., c/o Select Portfolio Servicing, Inc., P.O. Box 65250, Salt Lake City, UT 84165-0250
15166572	+ Treasurer's Office Greene County, 93 East High Street, Waynesburg, PA 15370-1839
15287371	+ WH Midwest, LLC, 3777 Boettler Oaks Drive, Uniontown, OH 44685-7733
15287372	+ WH Midwest, LLC, c/o Jamie M. Haren, Esq., 6370 Mt. Pleasant Street NW, North Canton, OH 44720-5310

TOTAL: 32

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/PDF: rmscedi@recoverycorp.com	Jul 16 2021 23:09:26	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15152102	+ Email/PDF: AIS.cocard.ebn@americaninfosource.com	Jul 17 2021 04:59:04	Capital One, Attn: Bankruptcy, Po Box 30285,

District/off: 0315-2

User: aala

Page 2 of 3

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Form ID: pdf900

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15169004	Email/PDF: AIS.cocard.ebn@americaninfosource.com	Jul 17 2021 05:09:12	Salt Lake City, UT 84130-0285 Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083, Charlotte, NC 28272-1083
15152103	+ Email/PDF: creditonebknotifications@resurgent.com	Jul 16 2021 23:09:21	Credit One Bank, Attn: Bankruptcy Department, Po Box 98873, Las Vegas, NV 89193-8873
15152104	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Jul 16 2021 23:09:17	Department Store National Bank/Macy's, Attn: Bankruptcy, 9111 Duke Boulevard, Mason, OH 45040
15152107	+ Email/Text: GenesisFS@ebn.phinsolutions.com	Jul 16 2021 23:05:00	Genesis Bc/Celtic Bank, Attn: Bankruptcy, Po Box 4477, Beaverton, OR 97076-4401
15166562	Email/Text: sbse.cio.bnc.mail@irs.gov	Jul 16 2021 23:05:00	Internal Revenue Service, Centralized Insolvency Unit, PO Box 21126, Philadelphia, PA 19114-0326
15181120	Email/PDF: resurgentbknotifications@resurgent.com	Jul 16 2021 23:09:22	LVNV Funding, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
15166563	+ Email/Text: Documentfiling@lciinc.com	Jul 16 2021 23:05:00	LendingClub, Attn: Bankruptcy, 595 Market St, Ste 200, San Francisco, CA 94105-2807
15152109	+ Email/Text: Documentfiling@lciinc.com	Jul 16 2021 23:05:00	LendingClub Corporation, 595 Market St, Suite 200, San Francisco, CA 94105-2807
15152111	+ Email/PDF: pa_dc_claims@navient.com	Jul 16 2021 23:09:15	Navient, Attn: Bankruptcy, Po Box 9640, Wilkes-Barre, PA 18773-9640
15318984	Email/Text: peritus@ebn.phinsolutions.com	Jul 16 2021 23:05:00	PERITUS PORTFOLIO SERVICES LLC, PO BOX 141419, Irving, Tx 75014-1419
15181135	Email/Text: Bankruptcy.Notices@pnc.com	Jul 16 2021 23:05:00	PNC Bank NA, Bankruptcy Department, PO BOX 94982, Cleveland, OH 44101
15177804	Email/Text: bnc-quantum@quantum3group.com	Jul 16 2021 23:05:00	Quantum3 Group LLC as agent for, Genesis FS Card Services Inc, PO Box 788, Kirkland, WA 98083-0788
15152116	+ Email/PDF: gecsed@recoverycorp.com	Jul 16 2021 23:09:20	Synch/JCI Home Design, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
15152788	+ Email/PDF: gecsed@recoverycorp.com	Jul 16 2021 23:09:14	Synchrony Bank, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15307674	+ Email/Text: kbarkley@bernsteinlaw.com	Jul 16 2021 23:05:00	WH Midwest, LLC d/b/a Wayne Homes, c/o Bernstein-Barkley, P.C., 707 Grant Street, Suite 2200, Pittsburgh, PA 15219-1945

TOTAL: 17

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		The Bank of New York Mellon, successor to The Bank
cr		WH Midwest, LLC d/b/a Wayne Homes
cr	*P++	PERITUS PORTFOLIO SERVICES, PO BOX 141419, IRVING TX 75014-1419, address filed with court:, PERITUS PORTFOLIO SERVICES LLC, PO BOX 141419, Irving, Tx 75014-1419
15175459	*	American Express National Bank, c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
15178154	*	American Express National Bank, c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
15166555	*+	Amex, Correspondence/Bankruptcy, PO Box 981540, El Paso, TX 79998-1540
15166556	*+	Capital One, Attn: Bankruptcy, PO Box 30285, Salt Lake City, UT 84130-0285
15166557	*+	Credit One Bank, Attn: Bankruptcy Department, PO Box 98873, Las Vegas, NV 89193-8873
15166558	*	Dollar Bank, 3 Gateway Center, Pittsburgh, PA 15222
15166559	*+	First National Bank, Attn: Bankruptcy, 4140 East State Street, Hermitage, PA 16148-3401
15166560	*+	Genesis Bc/Celtic Bank, Attn: Bankruptcy, PO Box 4477, Beaverton, OR 97076-4401

District/off: 0315-2

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Page 3 of 3

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15287370	*+	Home Savings Bank, Attention: Legal Department, 275 West Federal Street, Youngstown, OH 44503-1200
15183589	*+	Rebecca Vinsick, 228 Nemacolin Road, Carmichaels, PA 15320-1124
15166567	*+	Rebecca Vinsick, 228 Nemacolin Road, Carmichaels, PA 15320-1124
15166568	*+	Seterus, Inc., Attn: Bankruptcy, PO Box 1077, Hartford, CT 06143-1077
15166570	*+	Stepp Law Offices, Kelly A. Stepp, Esq., 64 N. Rich Hill Street, Suite 101, Waynesburg, PA 15370-1306
15166571	*+	Synco/JCI Home Design, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
15152114	##+	Seterus, Inc., Attn: Bankruptcy, Po Box 1077, Hartford, CT 06143-1077

TOTAL: 2 Undeliverable, 15 Duplicate, 1 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 18, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 16, 2021 at the address(es) listed below:

Name	Email Address
Beth L. Slaby	on behalf of Creditor Dollar Bank FSB bslaby@grenenbirsic.com, mcupecc@grenenbirsic.com
Brian Nicholas	on behalf of Creditor The Bank of New York Mellon successor to The Bank of New York, not in its individual capacity but solely as Trustee on behalf of the holders of the CIT Mortgage Loan Trust, 2007-1 Asset-Backed Certif bnicholas@kmlawgroup.com
David W. Raphael	on behalf of Creditor Dollar Bank FSB raphaeld@fnb-corp.com
Donna M. Donaher	on behalf of Creditor First National Bank of Pennsylvania donaherd@fnb-corp.com
Keri P. Ebeck	on behalf of Creditor WH Midwest LLC d/b/a Wayne Homes kebeck@bernsteinlaw.com, jbluemle@bernsteinlaw.com
Lauren Michaels	on behalf of Creditor Office of Attorney General Department of Revenue lmichaels@attorneygeneral.gov
Matthew M. Herron	on behalf of Attorney The Debt Doctors LLC mmh@thedebtctors.com, hgs@thedebtctors.com;alb@thedebtctors.com
Matthew M. Herron	on behalf of Debtor Michael D Vinsick mmh@thedebtctors.com hgs@thedebtctors.com;alb@thedebtctors.com
Office of the United States Trustee	ustregion03.pi.ecf@usdoj.gov
Richard J. Thomas	on behalf of Creditor Premier Bank fka First Federal Bank of the Midwest s/b/m to Home Savings Bank rthomas@hendersoncovington.com, mgazda@hendersoncovington.com
Ronda J. Winnecour	cmecf@chapter13trusteewdpa.com

TOTAL: 11